

**SUMMERDALE ORCHARDS, BLOCK 1, LOT 5A, AP
MAJOR SUBDIVISION**

STAFF REPORT FOR PLANNING BOARD

CASE PLANNER:

John Lavey *JL*

REVIEWED/

APPROVED BY:

Renee Van Hoven

**PUBLIC HEARINGS/
MEETINGS:**

RCPB Plat Evaluation:

September 20, 2006

RCPB Public Hearing:

October 4, 2006

Deadline for PB recommendation to BCC:

November 15, 2006

BCC Public Meeting:

October 24, 2006

(Unless PB delays decision)

Deadline for BCC action (60 working days):

December 18, 2006

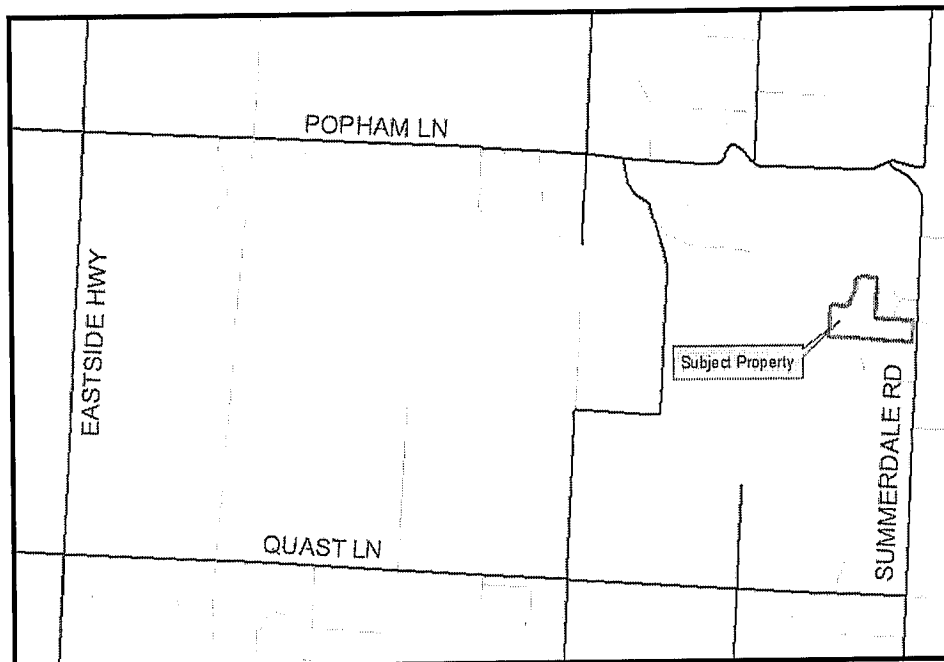
APPLICANT/OWNER:

Bitterroot Ranch, LLC
PO Box 70188
Stockton, CA 95267

REPRESENTATIVE:

Professional Consultants, Inc, 363-1201
Bill Burnett
PO Box 1750
Missoula, MT 59806

LOCATION OF REQUEST: The property is located east of Corvallis off Summerdale Road.



Map 1: Location Map
(Data Source: Ravalli County Planning Department)

**LEGAL DESCRIPTION
OF PROPERTY:**

Lot 5A of AP #543018, located in the NW 1/4 of Section 26 T7N,
R20W, P.M.M., Ravalli County, Montana.

**APPLICATION
INFORMATION:**

The subdivision application was determined complete on September 6, 2006. Agencies were notified of the subdivision and comments received by the Planning Department are Exhibits A-1 through A-6 of the staff report.

LEGAL NOTIFICATION:

A legal advertisement was published in the Ravalli Republic on September 19, 2006. Notice of the project was posted on the property. Property owners adjacent to the subject property were notified of the subdivision by certified mail, postmarked on September 8, 2006.

**DEVELOPMENT
PATTERN:**

Subject property	Vacant field
North	Large Lot Residential
South	Residential
East	Residential
West	Agricultural

RAVALLI COUNTY PLANNING BOARD

OCTOBER 4, 2006

SUMMERDALE ORCHARDS, BLOCK 1, LOT 5A, AP EIGHT-LOT MAJOR SUBDIVISION

RECOMMENDED MOTION

That the Summerdale Orchards, Block 1, Lot 5A, AP Major Subdivision be **approved**, based on the findings of fact and conclusions of law in the staff report and subject to the conditions in the staff report.

RECOMMENDED MITIGATING CONDITIONS OF APPROVAL FOR THE SUBDIVISION

1. A document entitled "Notifications to Future Property Owners" that includes the following notifications and the attachments listed below shall be included in the submittal of the final plat to the Planning Department and filed with the final plat:

Notification of Proximity to Agricultural Operations. This subdivision is located near existing agricultural activities. Some may find activities associated with normal agricultural activities objectionable and dangerous. (*Effects on Agriculture*)

Notification of Road Maintenance. Ravalli County, the State of Montana, or any other governmental entity does not maintain the internal subdivision road and therefore does not assume any liability for improper maintenance or the lack thereof. A Road Maintenance Agreement for the internal road was filed with this subdivision and outlines what parties are responsible for road maintenance and under what conditions. (*Effects on Local Services*)

Notification of Severe Soils. Within this subdivision there are areas of the property identified as potentially having soils rated as severe for road construction and building sites. The approximate location of these areas can be found on a reduced copy of the final plat and descriptions of the severe soils in question are included as exhibits to this document. (The applicant shall include the exhibits as attachments). (*Effects on Natural Environment & Public Health and Safety*)

Notification of Irrigation Ditch/Pipeline Easements. Within this subdivision there are irrigation easements. All downstream water right holders have the right to maintain and repair their ditches/pipelines and diversion structures whenever necessary to keep them in good condition. The filed subdivision plat shows irrigation pipelines and easements on the property. The irrigation district that supplies the water to this property must approve any relocation or alteration (i.e. installation of a culvert) of an irrigation ditch or pipeline. Any act which damages or destroys a ditch/pipeline, interferes with its operation or maintenance in any way, or restricts access to the ditch/pipeline so as to interfere with its maintenance is expressly prohibited. The downstream water right holders have the right to use the easement to maintain the ditch or pipeline. (*Effects on Agricultural Water User Facilities*)

Notification of Utility Easements. Within this subdivision there are utility easements for wells, septic systems, and drainfields. No structure shall be allowed to encroach into or set upon these utility easements. The utility easements shall remain unobstructed and accessible at all times. (*Effects on Local Services & Natural Environment*)

Notification of Storm Water Drainage Easements. Within this subdivision there are storm water drainage easements. No structure or obstruction may be placed within these easements that is not needed for storm water management. *(Effects on Local Services)*

Limitation of Access onto a Public Road. A "non ingress/egress" restriction exists along the Summerdale Road frontage of this subdivision, excepting the approved approach for the internal subdivision road. All lots within this subdivision must use this approved approach. This limitation of access may be lifted or amended with approval of the County. *(Effects on Local Services)*

2. Protective covenants for this subdivision shall be submitted with the final plat that include the following provisions:

Living with Wildlife. (See letter from Fish, Wildlife and Parks in the application packet for the required provisions) *(Effects on Wildlife & Wildlife Habitat)*

Waiver of Protest to Creation of RSID/SID. Owners and their successors in interest waive all rights in perpetuity to protest the creation of a city/rural improvement district for any purpose allowed by law, including, but not limited to a community water system, a community waste water treatment system, and improving and/or maintaining the roads that access the subdivision including related right-of-way, drainage structures, and traffic control signs. *(Effects on Local Services)*

Primary Heat Source. The primary heat source for the newly constructed residences in this subdivision shall be at least 75% efficient. *(Effects on Natural Environment)*

Lighting for New Construction. Full cut-off lighting shall be required for any new construction within this subdivision. A full cut-off fixture means fixtures, as installed, that are designed or shielded in such a manner that all light rays emitted by the fixture, either directly from the lamps or indirectly from the fixture, are projected below a horizontal plane through the lowest point on the fixture where light emitted. The source of light is fully shielded, top and sides, so as not to emit light upwards or sideways, but only allowing light to shine down towards the subject that is to be lighted. Spotlighting of flag poles shall be permitted. *(Effects on Public Health & Safety)*

Control of Noxious Weeds. Lot owners shall control the growth of noxious weeds on their respective lot(s). *(Effects on Natural Environment)*

Radon Exposure. The owner understands and accepts the potential health risk from radon concentrations, which are presently undetermined at this location. Unacceptable levels of radon can be reduced through building design and abatement techniques incorporated into structures. *(Effects on Public Health and Safety)*

Required Posting of County-Issued Addresses for Lots within this Subdivision. The Corvallis Rural Fire District has adopted Fire Protection Standards which require lot owners to post County-issued addresses at the intersection of the driveways leading to the primary residence and the road providing access to the lot as soon as construction on the residence begins. *(Effects on Local Services & Effects on Public Health and Safety)*

Access Requirements for Lots within this Subdivision. The Corvallis Rural Fire District has adopted the Uniform Fire Code. All accesses, including driveways to residences over 150'

in length, must have a minimum unobstructed travel surface width of 20', a vertical clearance of 13'6", maximum grade of 6%, and an all weather surface that can accommodate the weight of a fire truck to meet requirements of the Uniform Fire Code. Please contact the Corvallis Rural Fire District at PO Box 13, Corvallis, MT, for further information on the requirements of the Corvallis Rural Fire District and/or the Uniform Fire Code. *(Effects on Local Services & Effects on Public Health and Safety)*

Amendment. The covenants filed with the final plat shall state that written governing body approval shall be required for amendments to provisions of the covenants listed above, that are required to be included as a condition of subdivision approval. *(Effects on all six criteria)*

3. The subdividers shall include an RSID/SID waiver in a notarized document filed with subdivision plat that states the following: Acceptance of a deed for a lot within this subdivision shall constitute the assent of the owners and any successors in interest to any future RSID/SID, based on benefit, for a community wastewater system, community water system, or upgrading roads leading to or within the subdivision, including but not limited to paving, curbs and gutters, non-motorized transportation facilities, street widening, and drainage facilities. *(Effects on Local Services)*
4. The final plat shall show a non-ingress/egress zone along the Summerdale Road frontage of the subdivision, excepting the approach for the internal subdivision road, as approved by the Ravalli County Road and Bridge Department (RCRBD). *(Effects on Local Services)*
5. The applicant shall provide evidence that an amount of \$500 per lot has been contributed to the Corvallis School District prior to final plat approval. *(Effects on Local Services)*
6. The applicant shall provide a letter from the Corvallis Rural Fire District stating that they have provided the required 1,000 gallons per minute water supply or 2,500 gallons per lot water storage for fire protection for each lot within this subdivision. Alternatively, the applicant may provide evidence of a \$500 per lot contribution made to the Corvallis Rural Fire District with the final plat submittal in lieu of the required water supply or water storage for fire protection. *(Effects on Local Services & Effects on Public Health and Safety)*
7. The subdivider shall provide evidence with the final plat submittal that they have applied for County-issued addresses for each lot within this subdivision. *(Effects on Public Health and Safety)*
8. The final plat shall show an additional five feet of public road and utility easement along the Summerdale Road frontage of the subdivision. *(Effects on Local Services)*
9. "No Parking" signs shall be placed along the residential frontage of the internal subdivision road in accordance with the Federal Highway Administration's Manual on Uniform Traffic Control Devices, 2003 edition and as reviewed and approved by the Ravalli County Planning Department. *(Effects on Local Services & Public Health and Safety)*
10. A stop sign and road name sign shall be installed at the intersection of the internal subdivision road and Summerdale Road as approved by the Planning Department, in consultation with the Ravalli County Road and Bridge Department (RCRBD), prior to final plat approval. *(Effects on Local Services and Public Health and Safety)*
11. The internal subdivision road shall be labeled as a public road and utility easement on the final plat. *(Effects on Local Services)*

12. The applicant shall submit a letter from the Corvallis Post Office stating their approval of the concrete slab and mail box unit servicing the lots within the subdivision. (*Effects on Local Services*)

INTRODUCTION

Summerdale Orchards, Block 1, Lot 5A, AP is an eight-lot major subdivision proposed on 15.54 acres. The property is located east of Corvallis off Summerdale Road. It is located in the Corvallis School District and the Corvallis Rural Fire Districts. A cash donation is proposed in lieu of parkland dedication. The average lot size is 1.94 acres. The proposal is for eight single family residential lots. No variances have been requested.

Staff is recommending conditional approval of the subdivision.

SUBDIVISION REPORT

COMPLIANCE WITH PRIMARY SUBDIVISION REVIEW CRITERIA

CRITERION 1: EFFECTS ON AGRICULTURE

Findings of Fact:

1. The proposed major subdivision on 15.54 acres will result in 8 lots that have an average size of 1.94 acres. It is located east of Corvallis in an area of mixed residential and agricultural uses.
2. The *SCS Soil Survey for Ravalli County* identifies a soil type that is listed as Farmland of Statewide Importance on the property. More than 50% of the property may have Farmland of Statewide Importance.
3. Properties surrounding the subdivision are mostly residential with some agricultural production. To mitigate impacts on agricultural practices, a notification of agricultural operations shall be filed with the final plat. (*Condition 1*)

Conclusions of Law:

1. The creation of these lots will diminish the potential agricultural uses on this property and may take property with Farmland of Statewide Importance out of production.
2. With the mitigating conditions, impacts of this subdivision on surrounding agricultural practices should be minimized.

CRITERION 2: EFFECTS ON AGRICULTURAL WATER USER FACILITIES

Findings of Fact:

1. According to the application, the property has water rights from the Bitterroot Irrigation District and the water is distributed by the Holloran gravity pipeline. Since the water rights are held by the Irrigation District, an Irrigation Plan is not required.
2. An irrigation pipeline and associated easement is located along the length of the southern boundary of the property, and an existing spur line traverses across proposed Lots 5A4, 5A5, and 5A6. The applicant is proposing to abandon the spur line and re-route the ditch into a pipe that will be located along the internal subdivision road on the boundary of proposed Lots 5A5 and 5A6. A turnout will be installed on each lot.
3. In accordance with final plat requirements, when irrigation facilities are to be altered or relocated, the applicant is required to get written documentation of approval of the alteration from the Irrigation District. In a letter dated June 9, 2006 Lee Erickson from the Holloran gravity pipeline stated that the irrigation plan as proposed is satisfactory. (*Application*)
4. As a requirement of final plat approval, existing and proposed irrigation easements/rights-of-way located on the property shall be shown on the final plat. In order to mitigate impacts on agricultural water user facilities, a notification of these easements shall be included in the Notifications Document. (*Condition 1*)
5. As a requirement of final plat approval, all irrigation infrastructure must be installed prior to final plat approval.

Conclusion of Law:

Impacts to agricultural water user facilities will be minimized through the mitigating condition and requirements of final plat approval.

CRITERION 3: EFFECTS ON LOCAL SERVICES

Findings of Fact:

1. There are eight proposed single family residential lots within this subdivision and it is estimated at build-out this subdivision will generate a total of 64 vehicular trips per day, assuming 8 trips per day per single-family.

2. In an email dated September 7, 2006, David Ohnstad, County Road Supervisor, stated that the most likely route to the subdivision from Eastside highway would be Summerdale Road to Popham Lane (Exhibit A-2). It is unknown if Summerdale Road or Popham Lane, County-maintained roads, meet County standards and if not, the applicant will be required to pay the pro-rata share of the cost to improve the portions of Summerdale Road and Popham Lane that lead to the subdivision from Eastside Highway
3. A General Discharge Permit for Stormwater Associated with Construction Activity from the Montana Department of Environmental Quality, approach permits approved by the Ravalli County Road and Bridge Department for the accesses off Summerdale Road, road name petitions approved by the Ravalli County GIS Department for the internal road, final road plans approved by the Ravalli County Road and Bridge Department, and engineer certification that all road improvements meet County Standards shall be submitted with the final plat application.
4. In a letter dated September 21, 2005, the Corvallis Post Office requests that the applicant install a Collective Box Unit (CBU) to receive mail and a concrete slab to place the CBU upon. (*Application*) As a condition of approval, the applicant shall submit a letter from the Corvallis Post Office stating their approval of the installation of this infrastructure. (*Condition 12*)
5. To mitigate impacts on local services and ensure public access, the easement for the internal subdivision road shall be labeled as a public road and utility easement on the final plat. (*Condition 11*)
6. The road plans for the internal subdivision road received preliminary approval on May 11, 2006. (*Exhibit A-3*)
7. In a letter dated April 11, 2006 the Ravalli County consulting engineer recommended the applicant install "No Parking" signs along the internal subdivision road. (*Exhibit A-3*) To mitigate impacts on local services and ensure access by emergency vehicles, "No Parking" signs shall be placed along the residential frontage of the internal road in accordance with the Federal Highway Administration's Manual on Uniform Traffic Control Devices, 2003 edition and as reviewed and approved by the Ravalli County Planning Department. (*Condition 9*)
8. Summerdale Road is currently within a 50-foot wide easement. To mitigate impacts on local services, the applicant shall provide for an additional five feet of public road and utility easement along the Summerdale Road frontage of the subdivision. (*Condition 8*)
9. To ensure the proper drainage of this subdivision and to mitigate impacts on local services, a notification of storm water drainage easements shall be filed with the Notifications Document in the final plat. (*Condition 1*)
10. The applicants are proposing cash-in-lieu of parkland dedication. Section 6-1-7 of the Ravalli County Subdivision Regulations requires the developer to hire a real estate appraiser legally qualified to appraise undeveloped land to determine the fair market value of land prior to final plat approval. In a letter received November 9, 2005, the Ravalli County Park Board concurs with the applicant's proposal for cash-in-lieu of parkland dedication. (*Exhibit A-1*)
11. A well access easement is proposed on Lot 5A8 so the owners of Lot 5A3 can access their well. A well access easement is recorded on Lot 2 of AP# 522499 and traverses proposed Lot 5A1, so the owners of Lot 5A2 can access their well. The well for Lot 5 of AP# 522499 is located on Lot 7 of this subdivision. There is an existing 10-foot wide water line easement, so that Lot 5 of AP# 522499 can access the well. A drainfield easement is proposed on Lot 5 so the owners of Lot 6 can access their drainfield. In order to ensure each lot has access to water and to mitigate impact on local services, a notification of utility easements shall be filed with the Notifications Document. (*Condition 1*)
12. The applicants are proposing a \$500 per lot voluntary contribution to the School District. To mitigate impacts of the subdivision on the School District, the applicant shall contribute \$500 per lot to the Corvallis School District prior to final plat approval. (*Condition 5*)
13. To mitigate impacts on the local road system, the final plat shall show a no ingress/egress zone along the Summerdale Road frontage of the subdivision, excepting the RCRBD approved

- approach for the internal subdivision road. A notification of this limitation of access shall be included in the Notifications Document. (*Conditions 1 and 4*)
14. A stop sign is proposed at the intersection of the internal subdivision road and Summerdale Road. To mitigate impacts on local services a stop sign and road name sign shall be installed before final plat approval. (*Condition 10*)
 15. A preliminary road maintenance agreement for the internal subdivision road is included in the application packet. The final plat application packet is required to include a road maintenance agreement that includes the provisions of Section 3-2-18 of the Subdivision Regulations. A notification of the road maintenance agreement shall be included in the Notifications Document filed with the final plat. (*Condition 1*)
 16. Installation of all infrastructure improvements is required to be completed prior to final plat approval, which includes construction of the internal subdivision road, and installation of irrigation infrastructure.
 17. Individual wells and septic systems are proposed to serve most of the lots. (*See Natural Environment*)
 18. To mitigate potential impacts of this subdivision on any possible future public water, sewer system, or improvements to the road system, the RSID/SID waiver filed with the final plat shall address these services/facilities. (*Conditions 2 & 3*)
 19. Bitterroot Disposal provides service to this site.
 20. The subdivision is located within the Corvallis Rural Fire District. The Corvallis Rural Fire District has provided general comments on subdivision proposals, indicating they have adopted a policy which addresses access, posting of addresses, and water supply requirements. Conditions of approval will meet the recommendations of the Corvallis Rural Fire District. (*Conditions 2 & 6*)
 21. The Ravalli County Sheriff's Office provides law enforcement services to this area.
 22. Adequate public services are available to the subdivision.

Conclusion of Law:

With the mitigating conditions of approval and requirements of final plat approval, impacts of the subdivision on local services will be minimized.

CRITERION 4: EFFECTS ON THE NATURAL ENVIRONMENT

Findings of Fact:

1. A shared drainfield on Lot 5A5 will serve Lot 5A6. The applicant is proposing an easement on and around the drainfield and septic line that leads to the drainfield. To mitigate impacts on the natural environment, a notification of these easements shall be included in the Notifications Document to ensure the septic infrastructure is maintained. (*Condition 1*)
2. Individual wells and septic systems are proposed for lots within this subdivision. The Environmental Health Department has provided a comment letter dated April 26, 2006, that is included in the application packet, which states adequate information has been submitted to their office for local subdivision review to occur. A Certificate of Subdivision Plat Approval from Montana Department of Environmental Quality is required to be submitted with the final plat.
3. The preliminary plat and soils map indicate that portions of this subdivision may have soils rated as severe for building and road construction. To educate property owners and to mitigate potential impacts of this subdivision on public health and safety, a notification of the potential for severe soils shall be included in the Notifications Document filed with the final plat. (*Condition 1*)
4. To mitigate air pollution resulting from home heating emissions, the protective covenants filed with the final plat shall state that the primary heat source for any newly constructed residences must be at least 75% efficient. (*Condition 2*)
5. An approved noxious weed and vegetation control plan is required to be filed with the final plat. According to MCA 7-22-2152, any person proposing a development that needs state or local approval and that results in the potential for noxious weed infestation within a weed district

shall notify the weed board at least 15 days prior to activity. Consequently, 15 days prior to activities requiring a revegetation plan, such as road construction, the plan shall be submitted to the weed board for approval by the board. To mitigate impacts on the natural environment, a noxious weed control provision shall be included in the protective covenants filed with the final plat for this subdivision. (*Condition 2*)

Conclusion of Law:

Impacts from this subdivision on the natural environment will be minimized with the requirements for final plat approval and imposition of mitigating conditions.

CRITERION 5: EFFECTS ON WILDLIFE AND WILDLIFE HABITAT

Findings of Fact:

1. The property is not located within the Montana Fish, Wildlife, and Parks (FWP) identified big game winter range and there are no species of special concern listed in the vicinity of the property.
2. FWP requested that the living with wildlife provisions be included in the covenants to mitigate impacts on wildlife and wildlife habitat. (*Condition 2*)

Conclusion of Law:

With the condition of approval, the proposed subdivision will likely have a minimal impact on wildlife.

CRITERION 6: EFFECTS ON PUBLIC HEALTH AND SAFETY

Findings of Fact:

1. To mitigate impacts on local services and ensure access by emergency vehicles, "No Parking" signs shall be placed along the residential frontage of the internal road in accordance with the Federal Highway Administration's Manual on Uniform Traffic Control Devices, 2003 edition and as reviewed and approved by the Ravalli County Planning Department. (*Condition 9*)
2. The preliminary plat and soil map indicates there are soil types on the property that are considered severe for construction of roads and/or buildings. To mitigate potential impacts on public health and safety, a notification of severe soils shall be in the Notifications Document filed with the final plat. (*Condition 1*)
3. A stop sign is proposed to be located at the intersection of the internal subdivision road and Summerdale Road. To mitigate impacts on public health and safety, the stop sign shall be installed before final plat approval. (*Condition 10*)
4. To mitigate impacts on public health and safety, the subdivider shall apply for County-issued addresses and a provision requiring property owners to post County-issued addresses at their driveways shall be in the covenants. (*Conditions 2 and 7*)
5. The Conditions that address the Corvallis Rural Fire District's recommendations will mitigate impacts on public health and safety. (*Conditions 2, 6, & 7*)
6. To mitigate the impacts of light pollution stemming from new construction, the protective covenants shall include a provision requiring full cut-off lighting with the exception of flag poles. (*Condition 2*)
7. There is a prevalence of radon in the County and to mitigate impacts on public health and safety, the covenants shall include a statement regarding radon exposure. (*Condition 2*)

Conclusion of Law:

The mitigating conditions and requirements of final plat approval will address impacts on public health and safety.

COMPLIANCE WITH:

1) THE SURVEY REQUIREMENTS PROVIDED FOR IN PART 4 OF M.C.A. 76-3.

Finding of Fact:

The Seal of a Professional Land Surveyor or Engineer is required on all final plats, which states that the subdivision complies with part 4 of M.C.A. 76-3.

Conclusion of Law:

This proposal meets the survey requirements or conditions have been required to bring the proposal into compliance.

2) THE LOCAL SUBDIVISION REGULATIONS PROVIDED FOR IN PART 5 OF M.C.A. 76-3.

Finding of Fact:

Subdivisions are required to comply with the local subdivision regulations provided for in part 5 of M.C.A. 76-3.

Conclusion of Law:

The developer has submitted a plan which complies with the requirements of local subdivision regulations or conditions have been required that will bring the plan into compliance.

3) THE LOCAL SUBDIVISION REVIEW PROCEDURE PROVIDED FOR IN THE RAVALLI COUNTY SUBDIVISION REGULATIONS

Findings of Fact:

1. Subdivisions are required to comply with the local subdivision review procedure provided for in the Ravalli County Subdivision Regulations.
2. A decision of the governing body rejecting or approving a proposed subdivision may be appealed to the district court within thirty (30) days of such decision. The petition shall specify the grounds upon which the appeal is made. An appeal may be made by the subdivider; a landowner with a property boundary contiguous to the proposed subdivision or a private landowner with property within the unincorporated area of the county that can show a likelihood of material injury to the landowner's property or its value; a first class municipality if the subdivision is within three miles of its limits, a second class municipality if a subdivision is within two miles of its limits, a third class municipality or town if the subdivision is within one mile of its limits. An aggrieved party means a person who can demonstrate a specific personal and legal interest, as distinguished from a general interest, who has been or is likely to be specially and injuriously affected by the decision.

Conclusion of Law:

This development plan proposal has followed the necessary application procedure and has been reviewed within the procedures provided in Chapter 3 of the Ravalli County Subdivision Regulations.

CONSISTENCY WITH EXISTING ZONING AND COVENANTS

Findings of Fact:

1. This proposed subdivision is not located in a Voluntary Zoning District.
2. There are existing covenants on the property, included in the application packet. The proposal appears to be consistent with the covenants.

Conclusion of Law:

There is no zoning on this property and the proposal appears to comply with existing covenants.

PROVISION OF EASEMENTS FOR UTILITIES

Findings of Fact:

1. The plat indicates existing utilities are located along Summerdale Road. Utility easements are required to be shown on the final plat.
2. The proposed subdivision will be served by Ravalli Electric Cooperative and Qwest Telephone. Utility certificates are a requirement of final plat approval.

Conclusion of Law:

Utility services will be available to this subdivision.

PROVISION OF LEGAL AND PHYSICAL ACCESS

Finding of Fact:

Physical and legal access for this subdivision is proposed via Summerdale Road and Popham Lane, which are County-maintained roads. (*Local Services*)

Conclusion of Law:

With the conditions of approval and requirements of final plat approval, the proposal meets physical and legal access requirements.

RECEIVED

NOV 14 2005

Ravalli County Planning Dept.

10 05 11 2057

Ravalli County Park Board
366 Blodgett Camp Rd
Hamilton MT 59840
November 9, 2005

Ms. Becky Weaver
Professional Consultants Inc.
3115 Russel Street
PO Box 1750
Missoula, MT 59806

EXHIBIT A-1

Dear Becky:

On behalf of the Ravalli County Park Board, I concur with the proponents proposal to provide cash in lieu of parkland dedication for the Summerdale Orchards subdivision. In a subdivision of this size the parkland dedication would be too small to provide any real value as a recreation area. Proximity of the subdivision to public recreation facilities in the Corvallis area is also a factor in my concurrence with cash in lieu of parkland dedication.

Sincerely,



John H. Ormiston
Chairman

Cc: Ravalli County Planning Department

John Lavey

From: David Ohnstad
Sent: Thursday, September 07, 2006 11:40 AM
To: John Lavey
Subject: RE: Pro-Rata Determination

Summerdale Road to Popham Lane to SR269 would be the most likely route.

From: John Lavey
Sent: Thursday, September 07, 2006 11:22 AM
To: David Ohnstad
Subject: Pro-Rata Determination

EXHIBIT A-2

David,

Attached is a vicinity map for a proposed 8-Lot major subdivision located off Summerdale Road. There appear to be two different probable routes to the property and I was wondering if you would clarify which would be used for pro-rata. Thanks.

John Lavey
Ravalli County Planning Department
215 South 4th St., Suite F
Hamilton, MT 59840

9/11/2006



RECEIVED
IC-06-05-739-JR
MAY 11 2006
ENGINEERING
Ravalli County Surveying
PLANNING

EXHIBIT A-3

08-6027

Phone: (406)728-4611
Fax: (406)728-2476
www.wgmgroup.com

DATE: April 28, 2006
TO: David Ohnstad, Ravalli County Road & Bridge Department
CC: Jess McGee, Professional Consultants, Inc.
FROM: Ryan J. Salisbury, P.E.
RE: Summerdale Orchards Preliminary Review Completion
Ravalli County Reference No. OG-05-10-1060
WGM Group Reference No. 05-11-18

APPROVED FOR PRELIMINARY
PLAN.

11 MAY 2006

On behalf of the Ravalli County Road and Bridge Department (RCRBD), we have completed our preliminary review of the above referenced project. Adequate road, grading, and drainage information has been submitted for the project. If the RCRBD is in concurrence with our review, please forward this letter to the Planning Office to be included with the full subdivision application.

A Preliminary Comment Memorandum was sent to the design engineer in accordance with Step 6 on the RCRBD's "Schedule of Activities – Processing & Coordination of Subdivision Projects" form. We are now sending this letter to your office in accordance with Step 7 of the RCRBD's Schedule of Activities to complete our preliminary review of the project.

We have included a copy of the following with this letter:

- 1) Preliminary Comment Memorandum from WGM Group.
- 2) Preliminary comment response letter from Professional Consultants, Inc. (PCI).
- 3) Revised copy of the Preliminary Grading and Drainage Plan submitted by PCI in response to our comments.
- 4) Copy of the preliminary Road and Driveway Approach permit.

This review is based on the 2004 version of the AASHTO Geometric Design of Highways and Streets, the 2001 version of the AASHTO Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT<400), and the Ravalli County Subdivision Regulations.

Review of the plans and reports are limited to general conformance with the Ravalli County Subdivision Regulations in place at the time the subdivision application was submitted. This is not a complete or comprehensive review of the design assumptions

or conclusions of the design professional who submitted the plans and reports. A final set of construction plans will need to be submitted by the developer for review by the RCRBD prior to beginning construction.

It should be noted that a plan and profile drawing was submitted by PCI as requested in the comment letter. The profile does not include a storage platform for cars leaving the subdivision. On page 582, AASHTO recommends that "grades in excess of 3% be avoided at intersections to allow for a storage platform." With the icy conditions present during certain times of the year, a 3% storage platform will need to be incorporated into the final plans.

Thank you for the opportunity to work with the Ravalli County Road Department. If you have any questions, please contact our office.

DATE: April 11, 2006

TO: Jess McGee, PCI

CC: David Ohnstad, Ravalli County Road & Bridge Department

FROM: Ryan J. Salisbury, P.E.

RE: Summerdale Orchards Preliminary Review Comments

On behalf of the Ravalli County Road and Bridge Department (RCRBD), our office has completed a review of the plans re-submitted by your office with the letter dated March 31, 2006. This review memorandum is part of Step 6 on the RCRBD's "Schedule of Activities – Processing and Coordination of Subdivision Projects" form. This review is based upon the 2004 version of the AASHTO Geometric Design of Highways and Streets and the 2001 version of the AASHTO Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT<400).

Based on our review we have the following additional comments:

Roadways

- 1) Please provide dimensions for the asphalt radius length at the cul-de-sac on the preliminary plans.
- 2) Because the proposed typical road section width does not allow room for cars to park along the street, "No Parking" sign locations will be required with the final plans.
- 3) On page 582, AASHTO recommends that grades in excess of 3% be avoided at intersections to allow for a storage platform. With the icy conditions present during certain times of the year, a 3% storage platform should be incorporated into the final plans.
- 4) It is assumed that the design engineer has already looked at the sight distance triangles for the proposed connection to Summerdale Road. No sight triangles were submitted, but will be required with the final plans. It is also assumed that the design engineer has analyzed the separation distances outlined in the RCRBD's Encroachment Policy. An approach permit application will be required by the RCRBD with the final plans.

Please respond to these comments as outlined in Step 6 of the attached "Schedule of Activities – Processing and Coordination of Subdivision Projects" sheet from the RCRBD, or send us notification to submit these comments to the Ravalli County Planning office for submittal with your subdivision application to the Planning Board. Thank you.

March 31, 2006

Mr. Ryan Salisbury
WGM Group
P.O. Box 16027
Missoula, MT 59808-6027

RE: SUMMERDALE ORCHARDS

Dear Ryan:

In response to your Preliminary Review Comments Memo dated 3/12/06, we have the following responses:

Roadways

- 1) The centerline stationing, radius information and profile drawings for Appleview Lane are included on the enclosed road plans.
- 2) The easement radius of 50 feet for the cul-de-sac is shown on the enclosed road plans.
- 3) There is no plan for available parking for Appleview Lane. Therefore the width of 20 is adequate.
- 4) A stop sign has been shown on the enclosed road plans.
- 5) The posted speed limit for Summerdale Road is 35 mph.
- 6) The existing grades for Summerdale Road have been shown on the enclosed road plans.
- 7) A pavement design calculation will be included with the final plans.
- 8) The radius return length has been shown on the plans.
- 9) The form has been updated with page numbers for the final submittal

Grading

- 1) The contours for the drainage basin will be shown on the final grading plans.

I have attached a copy of the revised drawings. Should you have any questions or need any additional information, please do not hesitate to call.

Sincerely,
PROFESSIONAL CONSULTANTS, INC.


Jess McGee, P.E.

Cc: Ravalli County Road Dept.
Ravalli County Planning Office

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APR 03 2006

File OS-11-18 Sub CO No.

WGM GROUP, INC.

Engineers. Surveyors. Planners. Mappers.

RECEIVED

APR 26 2006

16-06-04-654
Ravalli County Planning Dept.

EXHIBIT A-4



Environmental Health
215 South 4th - Suite D
Hamilton, MT 59840
(406)375-6268 FAX (406)375-2048

MEMORANDUM

TO: Ravalli County Planning Department

FROM: *MF* Morgan T. Farrell, R.S., Environmental Health

DATE: 4-26-06

RE: SUMMERDALE ORCHARDS, AP OF LOT 5-A, BLOCK 1

The Ravalli County Environmental Health Department has received the above-referenced proposal for review. Based on the information provided, the application appears to be sufficient for subdivision review. The Sanitation in Subdivision review will be completed in accordance with the contract with the Department of Environmental Quality. Additional questions or comments may be required based upon the continued review of this file and the content of future submittals.

PC1

Corvallis School District #1

P.O. Box 700 / 1045 Main
Corvallis, MT 59828

Phone: (406) 961-4211

Fax: (406) 961-5144

RECEIVED

SEP 15 2006

100009-1473
Ravalli County Planning Dept.

EXHIBIT A-5

September 14, 2006

Ravalli County Planning Department
215 South 4th Street, Suite F
Hamilton, MT 59840


Dear Planning Board,

I have reviewed your letter in regards to the Summerdale Orchards, Block 1, Lot 5A, AP Major Subdivision. The proposal for this subdivision is for 8 lots on 15.54 acres

We have no specific objection to this subdivision. As we have stated before, growth in student numbers continues to affect our district infrastructure and bussing system.

In general, we ask that appropriate student safety measures be considered when designing this subdivision. We also ask that you consider a reasonable per lot donation to the school district to help mitigate the impact on our school.

Sincerely,



Daniel B. Sybrant

dbb/lh

Daniel B. Sybrant
Superintendent
961-4211

Trevor Laboski
Principal
High School
961-3201

Jason Wirt
Assistant Principal
High School
961-3201

Tom A. Miller
Principal
Middle School
961-3007

Rich Durgin
Assistant Principal
Middle School
961-3007

Janice Stranahan
Principal
Primary School
961-3261

Virginia Haines
Special Services
Director
961-3201

Russ Hendrickson
Technology
Coordinator
961-3201

Vannesa Bargfrede
Business Manager
District Clerk
961-4211

Professional Consultants Inc.
Unmatched Experience. Uncompromising Standards.

Missoula Office
3115 Russell Street • PO Box 1750 • Missoula, Montana 59806
406-728-1880 • fax 406-728-0276

Hamilton Office
1713 N. First Street • Hamilton, Montana 59840
406-363-1201 • fax 406-363-1215

EXHIBIT A-6

September 22, 2006

Mr. John Lavey, Planner
RAVALLI COUNTY PLANNING DEPARTMENT
215 South 4th Street, Suite F
Hamilton, MT 59840

**RE: Summerdale Orchards, Block 1, Lot 5A, Amended Plat
Owner/Developer: Bitterroot Ranch, LLC**

Dear John:

As a result of several items discussed at the Plat Evaluation Meeting with the Planning Board held on Wednesday the 20th of September, 2006, we have revised the Preliminary Subdivision Plat and the Irrigation Agreement as follows:

1. An "illegal" irrigation pipeline that was shown crossing Lots 4 and 5 has been eliminated and the existing turnout and a short pipeline found on Lot 4 are now slated for abandonment. The existing ditch in which the pipeline is found will also be abandoned. Notes to this effect are now found on the face of the plat.
2. The irrigation pipeline within a proposed 10' irrigation easement that formerly stopped at Lot 8 has been extended north to include Lot 7. This is now consistent with changes made to the Irrigation Agreement as a result of a review by DEQ. DEQ has approved the revised Irrigation Agreement which includes the allocation of irrigation water to all lots within this subdivision.
3. The density of the subdivision in the Land Use Summary on the face of the plat has been revised to show the density at 1 lot per 1.94 acres.

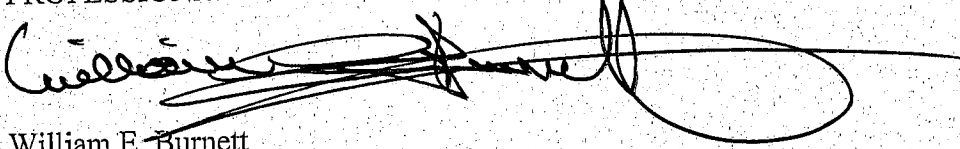
Enclosed you will find 17 copies of each of the following items: 1. The revised full size plat; 2. The reduced plat; 3. The revised Irrigation Agreement; and 4. The DEQ letter which approves the revised Irrigation Agreement. Please insert these revised items into your copies of the Subdivision Submittal ahead of the upcoming Planning Board Meeting.

Mr. John Lavey
RAVALLI COUNTY PLANNING DEPARTMENT
September 22, 2006, Page 2.

Please call me if you have any questions regarding the information in this letter or any of the attached items.

Thank you.

Sincerely,
PROFESSIONAL CONSULTANTS, INC.

A handwritten signature in black ink, appearing to read 'William E. Burnett', with a long, sweeping horizontal line extending to the right.

William E. Burnett
Planner
WEB/bb; Enclosures